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Australian Government
Department of Health
Therapeutic Goods Administration

Federal Court of Australia grants interim injunction to prevent advertising by Evolution Supplements Australia

16 April 2020

The Federal Court of Australia (Federal Court) has granted an interim injunction to prevent Evolution Supplements Australia Pty Ltd (Evolution Supplements Australia) and its sole director, Mr Cumhur Keskin, from advertising specified therapeutic goods. The injunction, granted by consent, is the latest development in Federal Court proceedings initiated by the Secretary of the Department of Health against Evolution Supplements Australia and Mr Keskin for alleged unlawful advertising of various therapeutic goods.

The Federal Court granted the interim injunction on 3 April 2020. The interim injunction prevents Evolution Supplements Australia and Mr Keskin (the Respondents), or any servants or agents of the Respondents, from advertising therapeutic goods where those advertisements refer to:

- a. substances, or goods containing substances, included in Schedule 4 of the current [Poisons Standard \(//www.tga.gov.au/publication/poisons-standard-susmp\)](http://www.tga.gov.au/publication/poisons-standard-susmp) (prescription-only substances); or
- b. therapeutic goods which are not entered in the Australian Register of Therapeutic Goods (ARTG) and are not subject to any relevant exemption, approval or authority.

The injunction will remain in place until further order of the Federal Court and follows the [commencement of Federal Court proceedings on 4 March 2020 \(//www.tga.gov.au/media-release/court-proceedings-commenced-against-evolution-supplements-australia-and-its-sole-director-alleged-advertising-breaches\)](http://www.tga.gov.au/media-release/court-proceedings-commenced-against-evolution-supplements-australia-and-its-sole-director-alleged-advertising-breaches). Evolution Supplements Australia and Mr Keskin are alleged to have advertised therapeutic goods not entered in the ARTG, including therapeutic goods advertised as containing substances included in Schedule 4 and/or Schedule 10 to the Poisons Standard.

The proceedings are ongoing.

Category: Advertising, Regulatory compliance

Tags: court action

URL: <https://www.tga.gov.au/node/904284> (<https://www.tga.gov.au/node/904284>)